

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

\_\_\_\_\_  
MARK I. SOKOLOW, *et al.*,

Plaintiffs,

v.

THE PALESTINE LIBERATION  
ORGANIZATION, *et al.*,

Defendants.  
\_\_\_\_\_

Civil Action No. 04cv397 (GBD) (RLE)

**DEFENDANTS THE PALESTINIAN AUTHORITY'S AND  
THE PALESTINE LIBERATION ORGANIZATION'S  
RULE 26(a)(1)(A) DISCLOSURES**

**I. Introduction**

Defendants, the Palestinian Authority ("PA") and the Palestine Liberation Organization ("PLO"), by and through counsel, submit the following Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1)(A) and state as follows:

1. The disclosures contained herein are based on certain non-privileged information that is currently available to the Defendants. The Defendants reserve the right, if and as required under Fed. R. Civ. P. 26(a)(1) and Fed. R. Civ. P. 26(e), to amend the Initial Disclosures as discovery progresses in this case.

2. In this regard, though Defendants' investigation into the facts alleged in Plaintiffs' First Amended Complaint ("Complaint") is ongoing, Defendants note that all of the attacks alleged in the Complaint took place in areas controlled by the Government of Israel, where the PA and PLO lack governing, investigative, and law enforcement authority and capability. Defendants' ability to gather information and documents that they may use to support their

defenses to Plaintiffs' allegations is hampered by this fact.

3. The Defendants are not hereby disclosing any information that is protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, or other applicable statutory or common law privileges.

4. Pursuant to Fed. R. Civ. P. 26(a)(1)(A), the Defendants are not disclosing information that they may have and may use solely for purposes of impeachment.

II. Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1)(A):

A. *Disclosures pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i):*

**“The name and, if known, the address and telephone number of each individual likely to have discoverable information — along with the subjects of that information — that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.”**

Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i), Defendants provide below the name and other required information, as known, concerning individuals “likely to have discoverable information” that the Defendants “may use to support [their] claims or defenses.” As stated above, the investigation is continuing, and Defendants will supplement these disclosures as they encounter additional individuals that Defendants may use to support their claims or defenses. Listing the following individuals (i) does not constitute a representation that Defendants have yet spoken with the individuals, (ii) does not suggest that Defendants have or will sponsor any statements by the individuals, and (iii) does not suggest that Defendants have the ability to make the individuals available or will call the individuals to testify at trial. Where employed by Defendants, individuals may be contacted through counsel for Defendants.

	<b>Name</b>	<b>Address</b>	<b>Subject of Discoverable Information</b>
1	Representative from the Office of the Presidential Security Services	Headquarters of the Office of the Presidential Security Service, The Muqata'a Ramallah, Occupied Palestinian Territory +972-2-240-8557	May have information relating to the security situation and security infrastructure in the Occupied Territories at the time of the incidents; may have information relating to the existence, contents, organization and destruction of records of military, police, law enforcement and security organizations in the Palestinian Territories, including, without limitation, the removal and/or destruction of such records by the Israeli Defense Forces; and may have information relating to Defendants' lack of responsibility for the incidents.
2	Representative from the Office of the Palestinian National Security Forces	Headquarters of the Palestinian National Security Forces, The Muqata'a Ramallah, Occupied Palestinian Territory +972-2-298-9392	May have information relating to the security situation and security infrastructure in the Occupied Territories at the time of the incidents; may have information relating to the existence, contents, organization and destruction of records of military, police, law enforcement and security organizations in the Palestinian Territories, including, without limitation, the removal and/or destruction of such records by the Israeli Defense Forces; and may have information relating to Defendants' lack of responsibility for the incidents.

3	Representative from the Office of the Palestinian Civil Police	Headquarters of the the Palestinian Civil Police, Ramallah, Occupied Palestinian Territory +972-2-296-3485	May have information relating to the security situation and security infrastructure in the Occupied Territories at the time of the incidents; may have information relating to the existence, contents, organization and destruction of records of military, police, law enforcement and security organizations in the Palestinian Territories, including, without limitation, the removal and/or destruction of such records by the Israeli Defense Forces; and may have information relating to Defendants' lack of responsibility for the incidents.
4	Representative from the Office of the Palestinian General Intelligence Service	Headquarters of the Palestinian General Intelligence Service, Ramallah, Occupied Palestinian Territory +972-2-298-8980	May have information relating to the security situation and security infrastructure in the Occupied Territories at the time of the incidents; may have information relating to the existence, contents, organization and destruction of records of military, police, law enforcement and security organizations in the Palestinian Territories, including, without limitation, the removal and/or destruction of such records by the Israeli Defense Forces; and may have information relating to Defendants' lack of responsibility for the incidents.
5	Any individual identified by Plaintiffs in their disclosures pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i)		

*B. Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(ii)*

**“A copy — or a description by category and location — of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.”**

The PA hereby describes, by category, non-privileged documents and tangible things that Defendants may use to support their claims or defenses. As stated above, the investigation is continuing, and Defendants will supplement these disclosures as they encounter additional documents that Defendants may use to support their claims or defenses.

1. Documents produced by Plaintiffs in response to Defendants’ Requests for Production of documents.
2. The following documents produced to Plaintiffs’ counsel and appearing on Defendants’ July 13, 2010 list of trial exhibits in the case of *Saperstein v. Palestinian Authority*, 04-20225-CIV-Seitz/O’Sullivan (S.D. Fla.): Exhibit Numbers 1-5, 7-12, 16-20, 22-23, 25-26, 30-34, 36-44, 48, 51-54, and 58-60.
3. Any documents identified by Plaintiffs in their disclosures pursuant to Fed. R. Civ. P. 26(a)(1)(A)(ii).
4. Statements issued by the Palestinian Authority condemning the incidents at issue in this lawsuit.

*C. Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iii)*

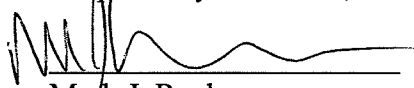
At this time, Defendants have no disclosures to make pursuant to this subsection.

*D. Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iv)*

At this time, Defendants have no disclosures to make pursuant to this subsection.

Dated: July 25, 2011

Respectfully submitted,



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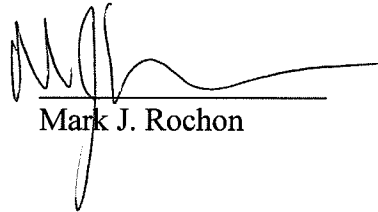
*Attorneys for Defendants The Palestinian  
Authority and The Palestine Liberation  
Organization*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on July 25<sup>th</sup>, 2011, a true and genuine copy of the foregoing was sent by electronic mail to the following:

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Mark J. Rochon